

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:10-cv-00258-MR-DSC**

<b>GLEN EDWARD CHAPMAN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>DENNIS ALVIN RHONEY, in his</b>	)	
<b>individual capacity,</b>	)	
<b>ROBERT A. MULLINAX, as Public</b>	)	
<b>Administrator of the ESTATE OF</b>	)	
<b>MARK RICHARDSON SAMS, in his</b>	)	
<b>individual capacity, and</b>	)	
<b>CITY OF HICKORY,</b>	)	
	)	
<b>Defendants.</b>	)	
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**ORDER**

**THIS MATTER** is before the Court on "Defendants Dennis Alvin Rhoney and Robert A. Mullinax, as Public Administrator of the Estate of Mark Richardson Sams' Motion to Stay This Matter Pending Appeal" (Doc. 39) filed on June 14, 2012.

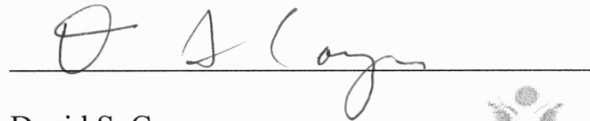
Upon review of Defendants' Motion, the Court concludes that the Motion to Stay should be allowed.

Accordingly, **IT IS, THEREFORE, ORDERED** that "Defendants Dennis Alvin Rhoney and Robert A. Mullinax, as Public Administrator of the Estate of Mark Richardson Sams' Motion to Stay This Matter Pending Appeal" (Doc. 39) is **GRANTED** and the case is stayed pending the Individual Defendants' appeal of the qualified immunity issue.

**IT IS FURTHER ORDERED** that the Defendant City of Hickory's "Motion for Extension of Time to Answer or Otherwise Respond to Plaintiff's Complaint" (Doc. 41) filed on June 15, 2012, is **DENIED AS MOOT**.

**SO ORDERED.**

Signed: June 18, 2012

A handwritten signature in black ink, appearing to read "D. S. Cayer", is written over a horizontal line.

David S. Cayer  
United States Magistrate Judge

